IN THE
MISSOURI SUPREME COURT

STATE OF MISSOURI,	)	
	)	
APPELLANT,	)	
	)	
vs.	)	**No. SC84214**
	)	
LEWIS E. GILBERT,	)	
	)	
RESPONDENT.	)	

APPEAL TO THE MISSOURI SUPREME COURT
FROM THE CIRCUIT COURT OF CALLAWAY COUNTY
THIRTEENTH JUDICIAL CIRCUIT
THE HONORABLE GENE HAMILTON, JUDGE

APPELLANT'S REPLY BRIEF

DEBORAH B. WAFER, MO. BAR NO. 29351
OFFICE OF THE PUBLIC DEFENDER
1221 LOCUST STREET; SUITE 410
ST. LOUIS, MISSOURI 63103
(314) 340-7662 - TELEPHONE
(314) 340-7666 - FAX

ATTORNEY FOR APPELLANT

TABLE OF CONTENTS

TABLE OF AUTHORITIES

Constitutional Provisions

Statutes

Rules

Other Authorities

Reply Arguments

Reply to Respondent's Argument Point I: Respondent's inaccurate, misleading, and unsupported claim -- that appellant's proposed question asking if jurors ever '"made a statement ... about the death penalty"' was an improper, 'open ended question exploring prospective jurors' "thoughts" or "feelings"' -- is refuted by *State v. Kreutzer*, the record, the definition of "open-ended," and respondent's own questions, and must fail. Further, Respondent misleads the Court with quotation marks: defense counsel never asked about "thoughts" or "beliefs."

Respondent cannot have it both ways: if respondent's questions asking about jurors' "predispositions," "reservations," or "preferences" regarding the penalties are not "open-ended," then appellant's questions asking jurors about "statements" they made regarding the death penalty cannot possibly be "open-ended."

Respondent does not dispute, therefore concedes, that §§494.470.1 & .2, RSMo.2000 (persons who have "formed or expressed an opinion concerning the matter or any material fact in controversy that may influence" their judgment and "whose opinions or beliefs preclude them from following the law" shall not be sworn as jurors and are "ineligible to serve...") authorizes

appellant's proposed voir dire inquiry.

Respondent claims that in ***State v. Kreutzer***[1] this Court ruled that the trial court did not err in sustaining objections to the following two questions:

Q: Have you ever expressed an opinion about the death penalty before?

A: Probably.

Q: Do you remember what you said, or can you recall or reconstruct what you said?

.....

The quotation itself shows that as to the *first* question -- 'Have you ever expressed an opinion about the death penalty before?" -- the state did not object, and the trial court did not prohibit the question. This first question was much like the question counsel attempted to ask in the present case: whether the juror recalled "ever making a statement about the death penalty from your own mouth?"

It was the second question in ***Kreutzer*** -- calling for the juror to "reconstruct" or *speculate* about what s/he might have said -- that was objectionable; the absence of further quoted material in the opinion indicates it was at that point that the objection was lodged and sustained. Although ***Kreutzer*** disapproved 'open-ended questions regarding what prospective jurors "felt" or "thought" about certain

[1] Resp.Br. at 28-29 *quoting* ***State v. Kreutzer***, 928 S.W.2d 854,863 (Mo.banc1996).

issues...,'[2] the question defense counsel wished to ask in the present case was not "open-ended." The American Heritage ***Dictionary of The English Language***[3] defines "open-ended" as "allowing for a spontaneous, unstructured response..." Webster's ***New World Dictionary***[4] characterizes an open-ended question as "allowing for a freely formulated answer rather than one made by a choice from among predetermined answers..."

This Court's other cases provide examples of "open-ended" questions. In ***State v. McMillin***,[5] the Court indicated that questions asking two jurors the "reasons for the views on [the] death penalty" that they expressed "during earlier questioning" were open-ended.[6] In ***State v. Ferguson***,[7] the Court ruled that the following three questions were open-ended: "1) Can you imagine any mitigating factors that would make you think that punishment for murder in the first degree should be something other than the death penalty? 2) What kind of factors would you

---

[2] 928 S.W.2d at 864 citing ***State v. Bannister***, 680 S.W.2d 141,145 (Mo.banc1984) (limitation of defense counsel's use of open-ended questions held proper exercise of court's discretion).

[3] Fourth Edition.

[4] Third College Edition.

[5] 783 S.W.2d 82 (Mo.banc1990).

[6] ***Id***. at 94.

[7] 20 S.W.3d 485, 494-95 (Mo.banc2000).

consider in determining the correct punishment? 3) What sort of factors would you take into consideration?" In ***State v. Thompson***,[8] the Court characterized as "open-ended" 'questions about how prospective jurors "felt" or "thought" about certain issues, or [that] compare[d] one venireperson's beliefs to another's...'

The question defense counsel attempted to ask fits none of the foregoing definitions, descriptions, or characterizations of "open-ended." The question did not seek "a spontaneous, unstructured response" or allow a "freely formulated answer." The question limited the jurors' responses to facts: their own previous statements regarding the death penalty.

Finally, this Court in ***Kreutzer*** approved "question[ing] members of the panel extensively on their ability to impose the death penalty and their ***beliefs*** regarding the defense of diminished capacity."[9] To emphasize its approval of such questioning, the Court quoted '§494.470.2, RSMo. 1994 ("Persons whose opinions or beliefs preclude them from following the law as declared by the court in its instructions are ineligible to serve as jurors on that case")'.[10]

Respondent claims the trial court's "limitation" -- restricting defense counsel to questioning jurors about "formal statements" they had made was "reasonable."[11]

---

[8] 985 S.W.2d 779, 790 (Mo.banc1999).

[9] 928 S.W.2d at 864; emphasis added.

[10] ***Id***. at 864-65.

[11] Resp.Br. at 29.

Yet respondent offers no rationale for this distinction. Respondent fails to explain why it was reasonable to allow questioning about formal statements but not about other statements. It defies logic to think that a speech or paper prepared for a college class some thirty or forty years prior to the trial could be relevant, but a conversation with a close friend one week, or even one year or ten years, prior to the trial was somehow not relevant. Yet this is the allegedly "reasonable limitation" imposed by the trial court and defended by the state.

Finally, respondent claims that Lewis "has failed to demonstrate that he was prejudiced [by the trial court's limitation]."[12] To a certain extent, this is true: because voir dire is not an evidentiary phase of trial and it is not possible for counsel to make an offer of proof with the jurors, Lewis cannot actually "demonstrate" prejudice by making a record of what the jurors would have said and what actions the defense would then have taken.

But the record demonstrates prejudice even without an offer of proof with every juror. First, the state's own use of the very scant information obtained from questions about "formal" speeches and writings in making its strikes for cause[13]

---

[12] Resp.Br. at 29-30.

[13] As noted in appellant's initial brief, in moving to strike jurors Zacher and Casady for cause, the state used the responses these jurors gave to defense counsel's question about "formal" speeches or writings (App.Br. at 45; T414-15; 538-39).

not only proves the value and uniqueness of this information, it *dis*proves respondent's claim that 'some statement ... made at some time in the past about the death penalty is, at best, minimally relevant, and would not have assisted appellant' in "gauging the jurors" ability to follow the law.'[14] Manifestly, even the restricted questioning assisted respondent.

Second, appellant's "other inquiries were insufficient to determine the prospective jurors[']qualifications"[15] because there was no comparable question. No other question, neither the state's nor appellant's, could or did produce the same information: statements the jurors had made about the death penalty. A formal speech or a paper written as a class assignment may reveal nothing about the "opinions or beliefs"[16] of the person who made the speech or wrote the paper. On the other hand, a statement made during a conversation with a close friend or relative may reveal much.

Third, this question -- unlike the state's question asking jurors for opinions and conclusions about their own preferences, predispositions, and reservations -- asked for ***facts*** that would allow the judge and the parties to evaluate the jurors' qualifications.

For all the reasons given here and in appellant's initial brief, the trial court's

---

[14] Resp.Br. at 30.

[15] Resp.Br. at 30.

[16] §494.470.2, RSMo. 1994.

restriction was not a reasonable limitation. It violated Lewis Gilbert's right to due process fair trial by jury, freedom from cruel and unusual punishment and reliable sentencing. U.S.Const., Amend's V, VI, VIII, XIV. Lewis' death sentences must be vacated and the cause remanded for a new sentencing trial.

<u>Reply to Respondent's Argument Point 2</u>: Respondent's argument – that instructing the jury "it could find appellant guilty only if Eric Elliott caused the deaths of the Brewers ... would amount to an instruction that appellant must be acquitted if the jury concluded that appellant himself pulled the trigger" and would mislead the jury "as to what facts would be sufficient to support a conviction" -- concedes the weakness in the state's case against Lewis Gilbert for first degree murder: a weakness the state may not remedy through instructions based on speculation instead of facts. Contrary to what respondent might wish, all the evidence -- including that from its own witnesses -- was that Eric Elliott, alone, shot the Brewers. That jurors may disbelieve or ignore evidence or may actually believe a testifying defendant -- possibilities ever-present in every trial -- -- does not make the evidence presented "unclear" nor generate evidence contrary to that presented. The evidence was very clear: state's witness Officer Becker testified that Lewis told him Eric shot the Brewers, and Lewis testified that Eric shot the Brewers. The state did not present any evidence that refuted this testimony or that made the evidence regarding who shot the Brewers "unclear."

Respondent's argument -- that since the jury could reject the evidence that Lewis did not shoot the Brewers and find that he did shoot the Brewers, the judge properly submitted the verdict directors in the disjunctive – suffers another defect: it asks this Court to approve judicial fact-finding in violation of the Sixth Amendment.

"The general rule is that an instruction must be based upon substantial evidence and the reasonable inferences therefrom."[17] In this sense, appellate review of challenges to instructions and of challenges to the sufficiency of the evidence are alike in that both start with a review of the facts adduced at trial. Thus, although respondent attempts to dismiss ***State v. O'Brien***[18] as inapplicable because it was reversed for insufficiency of evidence of first degree murder and "did not involve disjunctive submission of jury instructions,"[19] the Court's analysis of the sufficiency of the evidence in ***O'Brien*** is germane to the instructional issue in the present case. Examination of ***O'Brien*** will show why the state's reliance on ***State v. Dulany***[20] is ill-founded and demonstrate why the Court should not

---

[17] ***State v. Habermann***, No. ED80746 (Mo.App.E.D.12/24/02) *citing* ***State v. Westfall***, 75 S.W.3d 278, 280 (Mo.banc2002).

[18] 857 S.W.2d 212 (Mo.banc1993).

[19] Resp.Br. at 36.

[20] 781 S.W.2d 52 (Mo.banc1989); *see* Resp.Br. at 33-35. In ***Dulany***, the defendant, charged with capital murder, made statements admitting that she went

continue to follow ***Dulany's*** erroneous reasoning.

In ***O'Brien***, the evidence showed that as defendant O'Brien and Blount were drinking in a tavern, another customer, Wood, made it known that he had a lot of money and displayed it. Blount enlisted O'Brien to help in robbing Wood by luring him outside. O'Brien did so; as he and Wood went outside, Blount left the tavern by a side door and went into a narrow gangway leading to the street.[21]

O'Brien and Wood spoke briefly. O'Brien turned away; Wood turned back toward the bar then walked toward the gangway. O'Brien later "told the police that he then saw Blount pull Wood into the gangway, knock him down and reach into Wood's pockets.[22]

O'Brien went back to the tavern shortly thereafter and asked about Wood; the owner told O'Brien to check another tavern. O'Brien left and returned minutes later reporting he could not find Wood. Later Wood, barely alive, was discovered in the gangway by another bar patron. Wood died of head injuries that could have

---

with others to the victims' house. ***Id***. at 53. She admitted that one victim was knocked down and that both victims were burned (one victim died of injuries from a blow to his head and the other from being burned) but claimed that she did not commit those acts. ***Id***. at 53-54.

[21] ***Id***. at 216.

[22] ***Id***.

been caused by someone stomping on his head on the concrete gangway.[23]

O'Brien went to a friend's house; Blount arrived later saying he had murdered someone and showing cash he said he had taken. Blount's shoes appeared to have blood on them. O'Brien refused to take money that Blount offered and the two left.[24]

Later O'Brien was arrested, gave a statement to the police, and was released. O'Brien later heard the police were looking for him and went to the police station and gave another, "not entirely consistent" statement.[25]

On the foregoing facts, the state prosecuted O'Brien for, and he was convicted of, first degree murder.[26]

In explaining why the evidence was insufficient to support O'Brien's conviction of first degree murder, the Court examined, discussed, and rejected arguments made by the state, *i.e.*, that because the evidence showing that O'Brien was guilty of no more than second degree murder came from the defendant O'Brien himself, the jury need not believe it and could use that disbelief as "facts" necessary to find him guilty of first degree murder. This Court's analysis in O'Brien bears repeating here:

---

[23] ***Id***.

[24] ***Id***.

[25] ***Id***.

[26] ***Id***. at 215.

> [T]he State presented *no* evidence from which a reasonable juror could infer that O'Brien had deliberated upon Wood's death. The only circumstances shown by the State are (1) that O'Brien lured Wood out of the tavern for the purpose of aiding in robbing him, (2) that O'Brien saw Blount grab Wood and drag him into a darkened alley, and (3) that O'Brien then sought to "cover his tracks" by returning to the tavern to "look for" Wood. This evidence comes almost exclusively from O'Brien's own statements to the police and, the State argues, it need not be believed. While this is certainly true, the State fails to offer any contrary evidence in its place...
>
> Simply because a defendant's self-serving statements may not be credible does not give the jury license to speculate on what happened when there is nothing else to go on. Certainly, the jury was not required to believe O'Brien, but neither was it permitted to invent a version of facts -- unsupported by any evidence -- that fits the crimes charged.[27]

The evidence in ***O'Brien*** and in ***Dulany*** came "almost exclusively from" the defendants. In ***O'Brien***, no less than in ***Dulany***, the defendant had an opportunity to commit the "conduct" acts of first degree murder. And in each case, the defendant's own version of what occurred was "self-serving" in that it denied committing the conduct acts of charged murder(s).

---

[27] ***Id***. at 219-20.

The distinction between the ***O'Brien*** and ***Dulany*** opinions lies in how the Court treated the evidence coming from the defendant. As the previously quoted language from ***O'Brien*** shows, the Court in that case correctly refused to weigh or discredit the defendant's testimony or to allow possible disbelief in the defendant's testimony to serve as proof of evidence that was never offered. The Court refused to countenance the "invention" of speculative facts as a substitute for the state's failure to prove its case.[28]

In contrast, in ***Dulany***, the Court discounted Dulany's testimony and statements and held that the jury's disbelief in what Dulany said was the equivalent of proof of contrary facts:

> It is only defendant's self-serving statement that [provides evidence] Conn struck the fatal blow to Mrs. Blades and poured the roofing cement on both victims and set them on fire. The jury could properly disbelieve defendant and find she committed these acts. Therefore, the Court finds no error in the disjunctive submission.[29]

O'Brien and ***Dulany*** cannot be reconciled. To the extent that ***Dulany*** is inconsistent with ***O'Brien***, that is, to the extent ***Dulany*** approves of a jury "finding

---

[28] ***O'Brien***, 857 S.W.2d at 219-20; *see also* ***State v. Taylor***, 422 S.W.2d 633, 637 (Mo.1968) and cases cited in App.Br. at 69-71, 90-91.

[29] 781 S.W.2d at 55-56.

facts" created from disbelief in a defendant's testimony, the Court should overrule ***Dulany*** and other cases following that reasoning.[30]

There is an additional reason that the Court should overrule ***Dulany***: it permits judicial fact-finding in violation of the Sixth Amendment. The disjunctive instruction approved in ***Dulany*** was not based on any facts adduced at trial that the defendant committed the "conduct" acts causing the victims' deaths. Rather, there was only evidence denying that defendant committed the acts: evidence the Court rejected as "defendant's self-serving statement that Conn struck the fatal blow to Mrs. Blades and poured the roofing cement on both victims and set them on fire."[31] But this Court approved the disjunctive instruction because "[t]he jury could properly disbelieve defendant and find she committed these acts."[32]

Under ***Dulany***, a trial court may decide which evidence the jury might disbelieve, decide what the jury might find in lieu of the evidence actually presented, and submit a verdict director based on the court's own findings. In other words, the ***Dulany*** opinion approved the trial court finding facts upon which to base instructions. Allowing the trial court to indulge in such fact finding violates the Sixth Amendment.[33]

---

[30] *See*, *e.g.*, Resp.Br. at 34-35 and cases cited therein.

[31] 781 S.W.2d at 56.

[32] ***Id***.

[33] ***Ring v. Arizona***, 122 S.Ct. 2428 (2002); ***Apprendi v. New Jersey***, 530 U.S. 466

'[T]he rule is well-established that an instructional error "will be held harmless only when the court can declare its belief that it was harmless beyond a reasonable doubt."'[34] 'Moreover, when a "substantial issue exists regarding the defendant's state of mind, it is impossible to say the error is harmless beyond a reasonable doubt."'[35] "We will reverse due to instructional error if there is error in submitting an instruction and prejudice to the defendant."[36]

As pointed out in appellant's initial brief,[37] a critical issue here was Lewis' state of mind: did he intend robbery or murder? Lewis' defense was that he intended robbery, he did not plan to kill the Brewers, and he was guilty: of second degree felony murder.[38] The instructional error in this case was not harmless because in telling the jury -- despite the lack of facts to support this language -- that they could find Lewis shot the Brewers, the instruction also told the jury to reject Lewis' argument that he planned a robbery, not a murder.

(2000).

[34] ***State v. Ferguson***.887 S.W.2d 585, 587 (1994) *citing* ***State v. Erwin***, 848 S.W.2d 476, 484 (Mo.banc1993).

[35] ***Id***.

[36] ***State v. Habermann***, No. ED80746 (Mo.App.E.D.12/24/02) *citing* ***State v. Westfall***, 75 S.W.3d 278, 280 (Mo.banc2002).

[37] *See* App.Br. at 65-69.

[38] *See* App.Br. at 66.

For all the foregoing reasons, respondent's arguments fail. The verdict director prejudiced Lewis for the reasons stated herein and in appellant's initial brief, and the cause must be reversed and remanded for a new trial.

Reply to Respondent's Argument Point 3:

Respondent incorrectly asserts that Lewis's "challenge to the charging document" is really a contention that §565.005.1 is unconstitutional under *Apprendi*. Lewis' challenge to the charging document is really a challenge to the charging document. Under Art.1, §17 of the Missouri Constitution, and the Due Process Clause of the United States Constitution, §565.005.1 cannot serve as a charging document: in Missouri, a felony must be prosecuted by formal charge in an indictment or information which must include all elements of the charged offense.

***Apprendi v. New Jersey* and *Ring v. Arizona* do not expressly hold that aggravating circumstances must be included in the charging document, but those cases and their progeny are consistent with and support that contention.**

Respondent represents that appellant is not concerned about the sufficiency of the charging document, but about the constitutionality of §565.005.1.[39] Respondent is incorrect. Appellant contends that the information filed against him failed to charge an offense punishable by death and failed to plead facts required to increase the punishment from life imprisonment without probation or parole to

[39] Resp.Br. at 37-38.

death.[40]

In Missouri, cases may be prosecuted only by indictment or information.[41] Article 1, §17 of the Missouri Constitution provides "[t]hat no person shall be prosecuted criminally for felony or misdemeanor otherwise than by indictment or information..." Rule 23.01(b)2 requires that "[t]he indictment or information shall: ... State plainly, concisely, and definitely the essential facts constituting the offense charged." In other words, in Missouri, charging a defendant, and notifying a defendant that he is charged, with a crime punishable by death and of the essential facts making up that crime must be done by indictment or information.

Respondent is correct in noting that neither ***Apprendi*** nor ***Ring*** hold that aggravating circumstances must be charged in the indictment or information. But those cases and their progeny strongly support Lewis' contention that he was not charged with an offense punishable by death.

Missouri's aggravating circumstances, 'setting the outer limits of a sentence, and of the judicial power to impose it, are the [alternate] elements of the crime [of "aggravated" first degree murder] for the purposes of the constitutional analysis.'[42]

A crime was not alleged, and a criminal prosecution not complete

---

[40] App.Br. at 72-82.

[41] Mo.Const., Art.1, §17.

[42] ***Harris v. United States***, 122 S.Ct. 2406, 2419 (2002).

> unless the indictment and the jury verdict included all the facts to which the legislature had attached the maximum punishment. Any "fact that ... exposes the criminal defendant to a penalty *exceeding* the maximum he would receive if punished according to the facts reflected in the jury verdict alone" ... would have been, under the prevailing historical practice, an element of an aggravated offense...[43]

In ***Ring v. Arizona***, the Supreme Court stated that "Arizona's enumerated aggravating factors operate as 'the functional equivalent of an element of a greater offense,' "[44] The same is true in Missouri. Although the Supreme Court in the ***Ring*** case was not presented, and did not decide, the same claim raised here -- that statutory aggravating circumstances are elements of the "greater" offense of first degree murder and must be charged in the indictment or information -- the language of ***Ring***, and of ***Harris, Apprendi***, and ***Jones v. United States***,[45] support appellant's point and argument that Missouri's statutory aggravating circumstances are elements of the Missouri offense of aggravated first degree murder and must be charged in an indictment or information. Missouri's Constitution, which

---

[43] ***Id***. at 2417.

[44] 122 S.Ct. 2428, 2443 (2002) *citing* ***Apprendi***, 530 U. S., at 494, n. 19.

[45] 526 U.S. 227 (1999).

provides "[t]hat no person shall be prosecuted criminally for felony or misdemeanor otherwise than by indictment or information, which shall be concurrent remedies..." also supports appellant's argument.[46] It would be odd, indeed, if in all other Missouri cases, the offense must be correctly charged by indictment or information, but in capital cases, something less were held to suffice.

Finally, respondent states that "[a]ppellant additionally asserts, without argument or citation of authority, that the notice provision in §565.005.1 conflicts with Article I, Sections 10 ("due process"), 14 (courts open to every person), 18(a) (right to demand nature and cause of accusation) and 21 (cruel and unusual punishments) of the Missouri Constitution (1945) (Resp.Br. 43). No such claim was raised in appellant's brief.

Appellant has no quarrel with §565.005.1. But, as appellant's previous arguments should have already made clear, §565.005.1 is not a substitute for charging the statutory aggravating circumstances in the indictment or information.

> It is beyond question that to be sufficient, an information must adequately notify a defendant of the charge, ***State v. Tandy***, 401 S.W.2d 409 (Mo. 1966), and the elements of the offense charged must be pleaded with definiteness and certainty. ***State v. Cantrell***, 403 S.W.2d 647 (Mo. 1969).

[46] Art. 1, §17, Mo.Const.

State v. Williams.[47]

Missouri has established in its Constitution the requirement that "no person shall be prosecuted criminally for felony or misdemeanor otherwise than by indictment or information..."[48] Because Missouri has done so, the Due Process Clause of the Fourteenth Amendment commands Missouri to follow its own procedures. ***Evitts v. Lucey***.[49]

For the foregoing reasons, respondent's arguments must fail. Appellant's sentence of death must be vacated and he must be resentenced to life imprisonment without probation or parole.

CONCLUSION

For the foregoing reasons, appellant affirms the Conclusion of his initial brief and prays that this Court will reverse the judgment of the circuit court and discharge him, or in the alternative, remand for a new trial or a new penalty phase proceeding, or in the alternative, for resentencing and imposition of a judgment of second degree murder, or, in the alternative, for imposition of a sentence of life imprisonment without possibility of probation or parole for fifty (50) years.

Respectfully submitted,

---

[47] 611 S.W.2d 26, 31 (Mo.banc 1981).

[48] Mo.Const., Art.1, §17.

[49] 469 U.S. 387, 399-401 (1985).

Deborah B. Wafer, Mo. Bar # 29351
Office of the Public Defender
Capital Litigation Division
1221 Locust Street; Suite 410
St. Louis, MO 63103
(314) 340-7662 - Telephone
(314) 340-7666 - Fax
Attorney for Appellant

CERTIFICATE OF COMPLIANCE AND SERVICE

I, the undersigned attorney, hereby certify as follows:

The attached brief complies with the limitations contained in Rule 84.06(b). According to the "Word Count" function of Microsoft "Word," the brief contains a total of 4, 561 words.

The floppy disk filed with this brief contains a copy of this brief. It has been scanned for viruses by a McAfee VirusScan program and according to that program is virus-free.

A true and correct copy of the attached brief and a floppy disk containing a copy of this brief were delivered this ___ day of _____, 2002, to Stephanie Morrell, Office of the Attorney General, Supreme Court Building, 207 High Street, Jefferson City, Missouri 65101.

_____
Deborah B. Wafer, Mo. Bar #29351
Attorney for Appellant
Office of the Public Defender
1221 Locust Street; Suite 410
St. Louis, MO 63103
(314) 340-7662 - Telephone
(314) 340-7666 - Fax